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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/699,923

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Hiroki Fukuda

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EXAMINER

WILLS, LAWRENCE E

ART UNIT

PAPER NUMBER

2625

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/699,923	<b>Applicant(s)</b> FUKUDA, HIROKI	
	<b>Examiner</b> LAWRENCE E. WILLS	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 4-27-09.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,4,10-12,21,25 and 28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4,10-12,21,25 and 28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to claims 1, 21, and 25 have been considered but are moot in view of the new ground(s) of rejection.

2.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4, 10, 11, 12, 21, 25, and 28 rejected under 35 U.S.C. 103(a) as being unpatentable over (US Patent No. 6809831) Minari in view of (US Patent No. 6,864,992) Okada.

Regarding claims 1, 21, and 25, Minari' 831 teaches an information processing server (number 1704, Fig. 17, column 9, lines 38-39) which records or accumulates job log information (S903, Fig. 9, store print job object in print job accumulator) on a job issued to an image forming apparatus from client computer (number 1701, Fig.17) connected to a network (number 1705, Fig. 17), comprising: an acquisition unit (number 402, Fig. 4,) configured to acquire

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the job log information (print job attribute column 4 lines 33-38) from the client computer or the image forming apparatus (print job receiver receives a print job object from host computer, column 3, lines 66-67); wherein the job log information (print job attribute column 4 lines 33-38) includes driver information (job name, origin of request, request content, column 4, lines 33-38) identifying a driver program (print processing program, Fig. 6) which is performed in the client computer and generates the issued job (print job generator 204 produces a print job object in response to print instructions given by a user, column 3, lines 24-26) a driver information acquisition unit (number 403, Fig. 4) for acquiring the driver information (job name, origin of request, request content, column 4, lines 33-38) from job log information (print job attribute column 4 lines 33-38) from the job log information acquired from the acquisition unit (processes the print data stored in the print data section based on the print processing program, column 4, lines 27-29); a determination unit (number 601, Fig. 6) configured to determine whether or not to record the job log information acquired by said acquisition unit (S902, Fig. 9), in accordance with a driver (number 204, Fig. 2) which generates data of the issued job (print job generator 204 produces a print job object in response to print instructions given by a user, column 3, lines 24-26); and a recording/accumulation unit (print job accumulator, number 407, Fig. 4) configured to record or accumulate the job log information determined by said determination unit to be recorded or accumulated, (stores print job object,

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column 4, line 12) wherein, said driver information registered in the non-recording target database (printer attribute section 408) are used for specifying job log information corresponding in the determination step (S902, Fig. 9) in the determination step, it is determined by using the driver information(job attribute, S1002, Fig. 12) that the job log information related to an issued job which is not accompanied by printout (Mismatch, S1015, the job attribute not requesting printing would be considered a Mismatch) should not be recorded or accumulated (Send print job object back to host, S1009) wherein the driver information(print job attributes such as origin of request, request address, request content) related to a driver used for outputting a PDF file (print job object Fig. 5) to the client computer or an external device is registered in the non-recording target database (printer attribute section 408, Fig. 4); but Minari'831 fails to teach job log information includes port information, a port information acquisition step of acquiring the port information from the job log information acquired in the acquisition step; wherein the port information indicating that a job is output to a device which does not have a printing function is registered in the non-recording target database.

Okada'992 teaches to teach job log information includes port information (print log 21 containing PC name 24, column 3, lines 54-60), a port information acquisition step of acquiring the port information from the job log information acquired in the acquisition step (print log collected in step s2 column 4, lines 51-54); wherein the port information indicating that a job is output to a device

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which does not have a printing function is registered in the non-recording target database (stored in the print log area, column 4, lines 51-54).

Having a system of Minari'831 reference and then given the well-established teaching of Okada'992 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the print system of Minari'831 reference to include port information as taught by Okada'992 reference since allowing the print control system to accumulate the port information as attribute data would have been predictable.

Regarding claim 4, Minari'831 teaches wherein the image forming apparatus to which the job log information has been issued is specified in accordance with the port information contained in the job log information acquired by the port information acquisition step (S902, Fig. 9, and further, the URL address of the printer is contained in the job log information, column 3, line 42).

Regarding claims 10 , Minari'831 teaches a registration step of registering (stores, column 4, line 13) in the non-recording target database a condition of job log information not to be recorded or accumulated (column 4, lines 11-15).

Regarding claims 11, Minari'831 teaches wherein in the determination step, whether to record or accumulate the job log information is determined on the basis of whether the job log information acquired in the acquisition step coincides with a condition contained in a recording database prepared in advance (S 1002, Fig. 10).

Regarding claims 12, Minari'831 teaches wherein in the recording/accumulation step, the job log information determined in the determination step to be recorded is recorded in a database in a searchable format (print job accumulator stores the print job object, column 4, lines 10-11, further Fig. 13).

Regarding claims 28, Minari'831 teaches wherein, in the recording/accumulation step, job log information determined in the determination step to be accumulated (S903, Fig. 9) is extracted and accumulated from pieces of acquired job log information, (stores print job attributes column 4, lines 20-25) and grasp of the number of output pages or charging of an output job is performed (print pages, print copies column 4, lines 35-36).

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAWRENCE E. WILLS whose telephone number is (571)270-3145. The examiner can normally be reached on Monday-Friday 9:30 AM - 6:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on 571-272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/  
Supervisory Patent Examiner, Art Unit 2625

LEW  
July 28, 2009